DOCKet NO. 09-CPCN-18 2009 MAY - 1 PM 1:30



Certificate of Public Convenience and Necessity Application

Sussex County

Sussex 33109



May 1, 2009

Mr. Kevin Neilson Public Service Commission 861 Silver Lake Blvd. Suite 100 Dover, DE 19904

Re: CPCN Application -Sussex 33109

Dear Mr. Neilson;

Enclosed you will find the CPCN application for Sussex 33109 area located in Sussex County, Delaware.

Two original and ten copies of the application have been included. A check payable to the Public Service Commission in the amount of \$300.00 has also been included for the application fee. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-734-7500 Ext. 1014.

Respectfully,

Joseph C. Cuccinello CPCN Coordinator Tidewater Utilities, Inc.

cc: Mr. Grover P. Ingle, SFMO w/enclosures

cc: Mr. Ed Hallock, DPH w/enclosures

cc: Ms. Katherine Bunting-Howarth, DNREC w/enclosures

APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED TO BEGIN OR EXPAND THE BUSINESS OF A PUBLIC WATER UTILITY

BEFORE THE PUBLIC SERVICE COMMISSION

Application Fee

\$300 for filing each extension to a CPCN

\$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to $26 \underline{Del}$, \underline{C} . $\S 203C$.

WA1	ΓE	R UTILITI	ES: Sussex 33109
1		Basis for ap	plication:
		a.	Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., \$203C (d)(2)(a)}; or
		b.	Water supply in the proposed service area is insufficient to meet the projected demand; 26 <u>Del. C.</u> , §203C (d)(2)(b)); or
		c.	The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 <u>Del. C.</u> , §203C (e)(1)(a)}; or
		<u>X</u> d.	The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; {26 <u>Del. C.</u> , §203C (e)(1)(b)}; or Exhibit A
		e.	The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; {26 <u>Del. C.</u> , §203C (e)(1)(c)}.
2	2.	customers a	Certificate of Public Convenience and Necessity ("CPCN") to provide adequate water service to nd meet the Regulations Governing Drinking Water Standards of the State Board of Health for umption {26 <u>Del. C.</u> , §203C(a)}.
3	3,	Tidewater U	Itilities, Inc. requests an informal fact finding procedure during review of application.
4.		Tide 110	l legal name and address of Applicant: ewater Utilities, Inc. 0 South Little Creek Road ver, Delaware 19901
		(b.) Full Jose	I name of the Utility's designated representative: eph C. Cuccinello ily R. Opdyke
		(c.) Pho	one no: 302-734-7500 X1014 or X1012
		` '	no: 302-734-9297
		(e.) Ema	ail address: jcuccinello@Tuiwater.com or eopdyke@tuiwater.com

- 5. Supporting documentation required by 26 <u>Del. C.</u> §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application: **Exhibit B**
- 6. A complete list of county tax map parcel number(s) for the area covered by the application: Exhibit C

- 7. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: Exhibit C
- 8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 <u>Del. C.</u> §403C, including:
 - (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
 - (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to sumply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
 - (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
 - (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities. Inc. has materially failed to provide adequate or proper safe water services to existing customers.
- 9. Copies of petitions signed by landowners showing a majority of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. Exhibit A
- 10. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, and Department of Natural Resources.
 - 1.) The current status of such application is: Sent
 - (b.) The Applicant provides the following additional information with this application;
 - 1.) A corporate history including dates of incorporation, subsequent acquisitions—and/or mergers, On PSC File
 - 2.) A chart, which depicts the inter-company relationships, On PSC File
 - 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, On PSC File
 - 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, On PSC File
 - 5.) Applicant's audited financial statements. 10K's and all proxy material for the last two years. On PSC File
 - 6.) Any additional information required by PSC Staff will be made available on request.

Respectfully submitted,

Gerard L. Esposito

President

Certification of Landowner Information Accuracy

By submitting this application, Tidewater Utilities, Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.

Joseph C. Cuccinello CPCN Coordinator

EXHIBIT A

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s):

532-15.00-30.02

Property Owner(s):

Ray C Burton

Gene R Burton, Beatrice B Keenan & James H Burton

PO Box 1072

Millsboro, DE 19966

Owner's Signature(s): X Kay

Owner's Signature(s): X

Date:

Owner's Signature(s): X

Owner's Signature(s): X Beath

Please sign and date at the \boldsymbol{x} and then return the signed petition to the following address:

> Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

A-09-010 P-09-0035

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

di inc

Tax Parcel Number(s):

333-10.00-3.02

Property Owner(s):

Jeffrey M & Donna J Curtis

1 Malvern Ave Newark, DE 19713

Owner's Signature(s): X

Date: $\frac{3}{23}/09$

Owner's Signature(s): X

Please sign and date at the x and then return the signed petition to the following address:

> Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

H-09-010 P-09-0124

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s):

532-23.00-29.05 532-23.00-29.06

532-23.00-29.00

Property Owner(s):

Robert L & Peggy L Layton Sr, Trustees

16865 Line Rd Delmar, DE 19940

Owner's Signature(s):

Date: 1/19/09

Owner's Signature(s): X 18950

Please sign and date at the $oldsymbol{x}$ and then return the signed petition to the following address:

> Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

A-09-010 P-09-0014,015,0016

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s):

233-11.00-74.02

Property Owner(s):

Carl W & Linda L Thomas Sr

31658 Deer Haven Ln Dagsboro, DE 19939

Owner's Signature(s): X (6.10) Ilymos) Date: 3-13-09

Owner's Signature(s): X Ludo L

liones Date: 3-18-09

Please sign and date at the x and then return the signed petition to the following address:

Lan De

Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

A-09-010 P09-0123

Million

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

Tax Parcel Number(s):

533-4.00-3.00

Property Owner(s):

Carroll J & Helen M Mears Trustees

PO Box 510761

Key Colony Beach, FL 33051

Owner's Signature(s): X Canoll Means

Owner's Signature(s): X Helen M. Mears

Please sign and date at the \boldsymbol{x} and then return the signed petition to the following address:

> Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

4. 4.6

A09-618 P-09-0127

EXHIBIT B



March 31, 2009

Certified Mail # 7007 3020 0002 5598 6514

Ray C Burton Gene R Burton, Beatrice B Keenan & James H Burton PO Box 1072 Millsboro, DE 19966

Dear Ray C Burton, Gene R Burton, Beatrice B Keenan & James H Burton

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 532-15.00-30.02 located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about **April 30, 2009**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

if you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,

Joseph C. Cuccinello CPCN Coordinator

LANDOWNER NOTIFICATION

In accordance with Delaware law and regulations of the Public Service Commission, the applicant, Tide water Utilities, Inc. must show evidence that all landowners of the proposed territory have been notified by certified mail or its' equivalent of the filing of the application.

- (1) Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about April 30,2009. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax parcel number 532-15.00-30.02 located in Sussex County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.
- (2) Pursuant to current law, you may file an objection to receiving water service from Tidewater Utilities, Inc. Under Delaware law, the Public Service Commission cannot grant a CPCN to Tidewater Utilities, Inc. for the proposed service area, including your property, if a majority of the landowners in the proposed service area object to the issuance of the CPCN. If you object to receiving water service from Tidewater Utilities, Inc., you must notify the Commission, in writing within sixty days of you receipt of this notice or within thirty days of the filing of a completed application for a CPCN, whichever is greater.
- (3) Pursuant to current law, you may also elect to opt-out of inclusion in the proposed service area. The term "opt-out" means that you decide that you do not want to receive water service from Tidew ter Utilities, Inc., even if a majority of the landowners in the proposed service area do elect to receive water service from Tidewater Utilities, Inc. If you do decide that you do not want to receive water service from Tidewater Utilities, Inc. and instead wish to opt-out, you must notify the Commission, in writing, within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (4) You may also request a public hearing on this matter. A request for a public hearing must be made in writing to the Commission within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (5) The written notice of your decision to object to the issuance of the CPCN, to opt-out of receiving water service from Tidewater Utilities, Inc., and/or your written request for a public hearing, shall be sent to the Secretary of the Public Service Commission at the address below.
- (6) Any written notice you send to the Commission must include the description of the service area referred to in paragraph (1) above and the name of the applicant so the Commission will be able to identify the CPCN application to which your notice is related.
- (7) Quest ns regarding objections, opt-outs, and hearings may be directed to:

Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



March 31, 2009

Certified Mail # 7007 3020 0002 5598 9294

Jeffrey M & Donna J Curtis 1 Malvern Ave Newark, DE 19713

Dear Jeffrey M & Donna J Curtis

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 333-10.00-3.02 located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about **April 30, 2009**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely,

Joseph C. Cuccinello CPCN Coordinator

LANDOWNER NOTIFICATION

In accordance with Delaware law and regulations of the Public Service Commission, the applicant, Tide water Utilities, Inc. must show evidence that all landowners of the proposed territory have been not fied by certified mail or its' equivalent of the filing of the application.

- (1) Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Conversion on or about April 30,2009. In accordance with the petition you have recently signed, your proper ties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax particle in the property in the proposed service area, no action on your part is required.
- (2) Pursuant to current law, you may file an objection to receiving water service from Tidewater Utilities, Inc. Under Delaware law, the Public Service Commission cannot grant a CPCN to Tidewater Utilities, Inc. for the proposed service area, including your property, if a majority of the lar downers in the proposed service area object to the issuance of the CPCN. If you object to receiving water service from Tidewater Utilities, Inc., you must notify the Commission, in writing, within sixty days of you receipt of this notice or within thirty days of the filing of a completed application for a CPCN, whichever is greater.
- (3) Pursuant to current law, you may also elect to opt-out of inclusion in the proposed service area. The term "opt-out" means that you decide that you do not want to receive water service from Tidewriter Utilities, Inc., even if a majority of the landowners in the proposed service area do elect to receive water service from Tidewater Utilities, Inc. If you do decide that you do not want to receive water service from Tidewater Utilities, Inc. and instead wish to opt-out, you must notify the Commission, in writing, within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (4) You may also request a public hearing on this matter. A request for a public hearing must be made a writing to the Commission within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (5) The written notice of your decision to object to the issuance of the CPCN, to opt-out of receiving water service from Tidewater Utilities, Inc., and/or your written request for a public hearing, shall be sent to the Secretary of the Public Service Commission at the address below.
- (6) Any written notice you send to the Commission must include the description of the service area referred to in paragraph (1) above and the name of the applicant so the Commission will be able to identify the CPCN application to which your notice is related.
- (7) Questions regarding objections, opt-outs, and hearings may be directed to:

Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



March 31, 2009

Certified Mail # 7007 3020 0002 5598 9300

Robert L & Peggy L Layton Sr, Trustees 16865 Line Rd Delmar, DE 19940

Dear Robert L & Peggy L Layton Sr, Trustees

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 532-23.00-29.00, 532-23.00-29.05 & 532-23.00-29.06 located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about **April 30, 2009**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely

Joseph C. Cuccinello CPCN Coordinator

LANDOWNER NOTIFICATION

In accordance with Delaware law and regulations of the Public Service Commission, the applicant, Tide water Utilities, Inc. must show evidence that all landowners of the proposed territory have been not fied by certified mail or its' equivalent of the filing of the application.

- (1) Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or a bout April 30,2009. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax pacel number 532-23.00-29.00, 532-23.00-29.05 & 532-23.00-29.06 located in Sussex County, Delaware. If you agree to the inclusion of your property in the proposed service area, no act on on your part is required.
- (2) Pursuant to current law, you may file an objection to receiving water service from Tidewater Utilities, Inc. Under Delaware law, the Public Service Commission cannot grant a CPCN to Tidewater Utilities, Inc. for the proposed service area, including your property, if a majority of the landowners in the proposed service area object to the issuance of the CPCN. If you object to receiving water service from Tidewater Utilities, Inc., you must notify the Commission, in writing, within sixty days of you receipt of this notice or within thirty days of the filing of a completed application for a CPCN, whichever is greater.
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- (5) The witten notice of your decision to object to the issuance of the CPCN, to opt-out of receiving water service from Tidewater Utilities, Inc., and/or your written request for a public hearing, shall be sent to the Secretary of the Public Service Commission at the address below.
- (6) Any written notice you send to the Commission must include the description of the service area referred to in paragraph (1) above and the name of the applicant so the Commission will be able to identify the CPCN application to which your notice is related.
- (7) Questions regarding objections, opt-outs, and hearings may be directed to:

Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



March 31, 2009

Certified Mail # 7007 3020 0002 5598 6521

Carl W & Linda L Thomas Sr 31658 Deer Haven Ln Dagsboro, DE 19939

Dear Carl W & Linda L Thomas Sr

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 233-11.00-74.02 located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about **April 30, 2009**. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007 Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely

Joseph C. Cuccinello CPCN Coordinator

LANDOWNER NOTIFICATION

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- (1) Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about April 30,2009. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax pacel number 233-11,00-74.02 located in Sussex County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.
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- (3) Pursuant to current law, you may also elect to opt-out of inclusion in the proposed service area. The term "opt-out" means that you decide that you do not want to receive water service from Tidewater Utilities, Inc., even if a majority of the landowners in the proposed service area do elect to receive water service from Tidewater Utilities, Inc. If you do decide that you do not want to receive water service from Tidewater Utilities, Inc. and instead wish to opt-out, you must notify the Commission, in writing, within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (4) You may also request a public hearing on this matter. A request for a public hearing must be made in writing to the Commission within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (5) The written notice of your decision to object to the issuance of the CPCN, to opt-out of receiving water service from Tidewater Utilities, Inc., and/or your written request for a public hearing, shall be sent to the Secretary of the Public Service Commission at the address below.
- (6) Any written notice you send to the Commission must include the description of the service area referred to in paragraph (1) above and the name of the applicant so the Commission will be able to idea tify the CPCN application to which your notice is related.
- (7) Questions regarding objections, opt-outs, and hearings may be directed to:

Commission Secretary 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-736-7500



April 1, 2009

Certified Mail # 7005 3110 0000 5448 2679

Carroll J. & Helen M. Mears Trustees PO Box 510761 Key Colony Beach, FL 33051

Dear Carroll J. & Helen M. Mears Trustees:

Tidewater Utilities Inc. (Tidewater) would like to thank you for the receipt of your signed petition requesting Tidewater to provide water service to your property, parcel number 533-4.00-3.00 located in Sussex County.

Tidewater will be submitting an application for a Certificate of Public Convenience and Necessity (CPCN) with the Public Service Commission (PSC) on or about May 1, 2009. Included with this letter is information that we are required to provide to all landowners within a proposed service territory prior to filing the application for a CPCN.

When the CPCN is granted, Tidewater will have the permission to provide public water service to your parcel. It is important for you, as the landowner, to know that when water service is made available to your parcel you are not obligated to connect to our water system as long as your current water supply is functioning properly. If you agree to have your property be part of this proposed service area, no action on your part is required at this time.

Tidewater understands that customer satisfaction and quality water are the foundation of our business. In 2007, Tidewater was awarded the Torch Award by the Delaware Better Business Bureau for our Marketplace Ethics. Tidewater a part of Middlesex Water Company was recently named one of America's 100 most trustworthy publicly traded firms according to Audit Integrity, Inc. In addition, Tidewater was voted Best Tasting Water in 2007 by Delaware Rural Water Association.

If you have any questions in regards to this matter please feel free to contact me at 1-800-523-7224 ext. 1014.

Sincerely

Joseph C. Cuccinello CPCN Coordinator

LANDOWNER NOTIFICATION

In accordance with Delaware law and regulations of the Public Service Commission, the applicant, Tidew ter Utilities, Inc. must show evidence that all landowners of the proposed territory have been notified by certified mail or its' equivalent of the filing of the application.

- (1) Pursuan to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about April 1, 2009. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax parcel number 533-4.00-3.00 located in Sussex County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.
- (2) Pursuan to current law, you may file an objection to receiving water service from Tidewater Utilities, Inc. Under Delaware law, the Public Service Commission cannot grant a CPCN to Tidewater Utilities, Inc. for the proposed service area, including your property, if a majority of the land where in the proposed service area object to the issuance of the CPCN. If you object to receiving water service from Tidewater Utilities, Inc., you must notify the Commission, in writing, within sixty days of you receipt of this notice or within thirty days of the filing of a completed application for a CPCN, whichever is greater.
- (3) Pursuan to current law, you may also elect to opt-out of inclusion in the proposed service area. The term "opt-out" means that you decide that you do not want to receive water service from Tidewater Utilities, Inc., even if a majority of the landowners in the proposed service area do elect to ecceive water service from Tidewater Utilities, Inc. If you do decide that you do not want to receive water service from Tidewater Utilities, Inc. and instead wish to opt-out, you must notify the Commission, in writing, within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (4) You may also request a public hearing on this matter. A request for a public hearing must be made in writing to the Commission within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.
- (5) The written notice of your decision to object to the issuance of the CPCN, to opt-out of receiving water service from Tidewater Utilities, Inc., and/or your written request for a public hearing, shall be sent to the Secretary of the Public Service Commission at the address below.
- (6) Any written notice you send to the Commission must include the description of the service area referred to in paragraph (1) above and the name of the applicant so the Commission will be able to identify the CPCN application to which your notice is related.
- (7) Questions regarding objections, opt-outs, and hearings may be directed to:

Commission Secretary 861 Silver Lake Bivd. Suite 100 Dover DE, 19904 302-736-7500

U.S. Postal Service ™ CERTIFIED MAILT RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) STILE CREET ON 5578 Certified Fee 2000 MAR 3 1 2009 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 3020 Total Postage & Fees Ray C Burton 7007 Gene R Burton Beatrice B Keenan & James H Burton PO Box 1072 Millsboro, DE 19966 PS Form 3800, August 2006

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits. Article Addressed to: 	A. Signature X Jules Grant Agent Addressee B. Received by (Printed Name) C. Date of Delivery JAVE BURTON D. Is delivery address different from Item 1? Yes If YES, enter delivery address below:
Ray C Burton Gene R Burton,Beatrice B Keenan & James H Burton PO Box 1072 Millsboro, DE 19966	3. Service Type Certified Mail Registered Receipt for Merchandise Insured Mail C.O.D.
	4. Restricted Delivery? (Extra Fee)

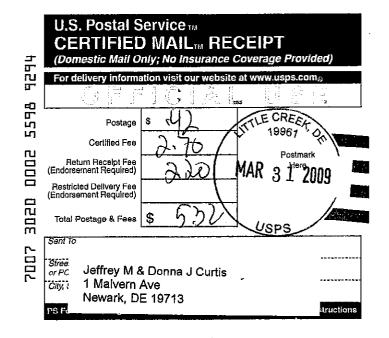
(Transfer from service label)
PS Form 3811, February 2004

2. Article Number

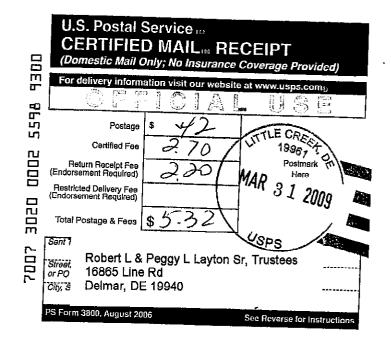
Domestic Return Receipt

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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Article Addressed to: Jeffrey M & Donna J Curtis	If YES, enter delivery address below OFFICE
1 Maivern Ave Newark, DE 19713	3. Sepfice Type Certified Mail
	4. Restricted Delivery? (Extra Fee)
2. Article Number 7007 30 (Transfer from service label)	20 0002 5598 9294
PS Form 3811, February 2004 Domestic Re	eturn Recelpt 102595-02-M-1540



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 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 	A. Signature X. July Jany Agent Addressee
so that we can return the card to you. Attach this card to the back of the mailplece, or on the front if space permits.	B. Received by (Printed Name) C. Date of Delivery Rulad LAYTON 4 1 2001
Article Addressed to:	D. Is delivery address different from item 1?
Robert L & Peggy L Layton Sr, Trustees	
Delmar, DE 19940	3. Service Type Cortified Mall Express Mall Registered Return Receipt for Merchandise Insured Mail C.O.D.
00110	4. Restricted Delivery? (Extra Fee)
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PS Form 3811, February 2004 Domestic Ret	urn Receipt 102595-02-M-1540

U.S. Postal Service 16 CERTIFIED MAIL RECEIPT **6.5**21 (Domestic Mail Only; No Insurance Coverage Provided) 5598 Postage Certified Fee MAR 3 Her 2009 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 3020 Total Postage & Fees \$ 7007 Sent To Carl W & Linda L Thomas Sr Street,) or PO B 31658 Deer Haven Ln Dagsboro, DE 19939 City, Sta PS Form 3800, August 2006

SENDER: COMPLETE THIS SECTION	d .	COMPLETE THIS SECTION ON DELIVERY
Complete items 1, 2, and 3. Also consitem 4 if Restricted Delivery is desired. Print your name and address on the results of the transport of the transport of the transport of the pack of the major on the front if space permits.	i. reverse	A. Signature Agent Addressee B. Received by (Printed Name) C. Date of Delivery Linda Thomas D. Is delivery address different from Item 1? Yes
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Dagsboro, DE 19939		3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
1		4. Restricted Delivery? (Extra Fee)
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Total Postage & Fees S 32 USPS

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Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 1. Article Addressed to: Caroll & delen M.	A. Signature X. July M. M. Gu. Agent B. Received by (Printed Name) C. Date of Delivery NCLEN MEARS D. Is delivery address different from item 1? Yes If YES, enter delivery address below:
POBOX 510761 Key Colony Black, Fl 33051	3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
(2. Article Number,	7005 3110 0000 5448 2679

PS Form 3811, February 2004

Domestic Return Receipt

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EXHIBIT C

Exhibit C

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		10.1 333-10.00-3.02	19713		Newark DE	1 Malvern Ave		Curtis Layton Sr,	Jeffrey M & Donna J Curtis Layton
		41 532-15.00-30.02	19966	DE	Millsbaro	PO Box 1072	Burton Burton	Burton	Ray C
							Gene R James H	_	
							Keenan &		
չ	A2 Tax2	Tax1 A	Zip A1	State Zip	City	StreetNumber	LastName1 FirstName2 Lastname2 Beatrice B	LastName1 I	FirstName1

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MAPS

SEE ORIGINALS INDOCKET